

REMARKS

The Office Action notes that claims 1-30, 32, and 33 are pending in the application. By this amendment, claims 1, 13, 29, and 30 are amended, claims 2-12, 14-20, 32, and 33 remain unchanged, and claims 21-28 remain withdrawn. The amendments to the claims are fully supported by the specification and do not add any new matter to the application.

Interview Summary

Applicant would like to thank Examiner Hayes for the courtesies extended during the interview conducted between Examiner Hayes, Gregory M. Smith, and Paul M. McGinley on September 23, 2008. The rejections presented in the Office Action mailed June 25, 2008, the cited references, and claim amendments presented herein were discussed. No agreement was reached during the telephone interview of September 23, 2008 as to any of the pending claims in the application and the claims amendments incorporated into the claims above. However, Examiner Hayes indicated that he would further consider the above incorporated claim amendments and contact the Applicant with his further opinion. In a telephone message left on the voicemail of Paul M. McGinley by Examiner Hayes on October 8, 2008, Examiner Hayes indicated that he believed the above incorporated claim amendments would define over U.S. Published Patent Application No. 2004/0078252 ("Daughtrey"), which is the primary reference in both of the Examiner's 35 U.S.C. §103 rejections.

35 U.S.C. §101 Rejections

Claims 1-20, 30, 32, and 33 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Applicant disagrees with these rejections because Applicant believes the currently claimed subject matter is directed to statutory subject matter. Nonetheless, Applicant has

amended the preamble of independent claims 1, 13, and 30 to include the language "computer implemented" method. Therefore, Applicant respectfully submits that the currently pending claims are clearly directed to statutory subject matter at least for the reason that the claimed methods are tied to another statutory class related to computers and processes performed by computers. The independent claims now positively recite a computer and that the process is implemented by a computer. Accordingly, the 35 U.S.C. §101 rejections are now moot. Withdrawal of these rejections is respectfully requested.

35 U.S.C. §103 Rejections

Claims 1-6, 9-16, 19, 20, 29, 30, 32, and 33 stand rejected under 35 U.S.C. §103 as being unpatentable over Daughtrey alone. Also, claims 7, 8, 17, and 18 stand rejected under 35 U.S.C. §103 as being unpatentable over Daughtrey in view of U.S. Patent No. 6,304,850 ("Keller").

Regarding independent claims 1, 13, and 29, Daughtrey does not teach or suggest, *inter alia*, simultaneously providing a plurality of flexible date search options to a user, one of the plurality of flexible date search options comprising performing a search based on a user entered departure date, a user entered return date, and a user entered flexible time interval corresponding to at least one of the departure date and the return date. In the telephone message left by Examiner Hayes on October 8, 2008, Examiner Hayes acknowledges that Daughtrey does not teach or suggest at least these limitations of independent claims 1, 13, and 29. Accordingly, Applicant respectfully submits that the 35 U.S.C. §103 rejections of independent claims 1, 13, and 29 are overcome and independent claims 1, 13, and 29 are allowable. Claims 2-12 and 14-20 respectively depend from independent claims 1 and 13 and are allowable for the same reasons.

Although Applicant is currently amending independent claims 1, 13, and 29 in an attempt to satisfy the Examiner with respect to overcoming Daughtrey, Applicant continues to assert that independent claims 1, 13, and 29 and their dependent claims defined over Daughtrey prior to the present claim amendments as set forth in the Applicant's prior Office Action responses.

Regarding independent claim 30, Daughtrey does not teach or suggest, *inter alia*, receiving travel date information from the user, the travel date information comprising a trip date range, the trip date range comprising a user specified earliest departure date and a user specified latest return date, and a trip length. Rather, Daughtrey only allows a user to specify an earliest departure date and a length of stay. Daughtrey does not allow a user to specify a latest return date (see Fig. 2 of Daughtrey). The Examiner attempts to satisfy this missing claim limitation by "deriving" the latest return date by adding the length of stay to the departure date. The fact that the Examiner utilizes the word "deriving" further illustrates that the user does not actually specify the latest return date. Accordingly, independent claim 30 defines over Daughtrey and is allowable. Claims 32 and 33 depend from independent claim 30 and are allowable over Daughtrey for the same reasons.

Conclusion

In view of the aforesaid, Applicant respectfully submits that claims 1-20, 29, 30, 32, and 33 are in condition for allowance and a Notice of Allowance for these claims is respectfully requested.

Respectfully submitted,

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